MONTANA LEGISLATIVE HISTORY

Chapter 322 19 87

Bill H 430 S _____ Original bill & history ✓ C

H. Committee on Judiciary		S. Committee on Judiciary	
Hearing Date(s) 2/18	✓ C	Hearing Date(s) 3/17	✓ C
_____	___ C	_____	___ C
_____	___ C	_____	___ C
_____	___ C	_____	___ C
Date Out _____	___ C		

Did this bill originate in an interim committee? ___ Yes ___ No

Committee _____ Report _____

INTRODUCED BY House BILL NO. 430
Mercer

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING PENALTIES THAT MAY BE IMPOSED FOR DELIBERATE HOMICIDE; AND AMENDING SECTION 45-5-102, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 45-5-102, MCA, is amended to read:

"45-5-102. Deliberate homicide. (1) Except as provided in 45-5-103(1), criminal homicide constitutes deliberate homicide if:

(a) it is committed purposely or knowingly; or

(b) it is committed while the offender is engaged in or is an accomplice in the commission of, an attempt to commit, or flight after committing or attempting to commit robbery, sexual intercourse without consent, arson, burglary, kidnapping, felonious escape, or any other felony which involves the use or threat of physical force or violence against any individual.

(2) A person convicted of the offense of deliberate homicide shall be punished by death ~~or life imprisonment~~ as provided in 46-18-301 through 46-18-310, by life imprisonment, or by imprisonment in the state prison for a term of not less than 10 years or more than 100 years, except as provided in 46-18-222."

-End-

LC 1139/01

INTRODUCED BILL
HB 430

HOUSE BILL NO. 430

INTRODUCED BY BRANDEWIE, HARP, COBB,
ADDY, MERCER

IN THE HOUSE

JANUARY 24, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
FEBRUARY 18, 1987	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 19, 1987	PRINTING REPORT.
FEBRUARY 20, 1987	SECOND READING, DO PASS.
FEBRUARY 21, 1987	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 91; NOES, 0.
	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 23, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
MARCH 18, 1987	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 21, 1987	SECOND READING, CONCURRED IN.
MARCH 24, 1987	THIRD READING, CONCURRED IN. AYES, 49; NOES, 0.
	RETURNED TO HOUSE.

IN THE HOUSE

MARCH 24, 1987	RECEIVED FROM SENATE.
	SENT TO ENROLLING.

1/24	INTRODUCED		
1/24	REFERRED TO FISH & GAME		
2/05	HEARING		
2/19	COMMITTEE REPORT--BILL PASSED AS AMENDED		
	STATEMENT OF INTENT ADOPTED		
2/21	2ND READING PASSED	73	9
2/23	3RD READING PASSED	90	9
	TRANSMITTED TO SENATE		
3/02	REFERRED TO FISH & GAME		
3/19	HEARING		
3/20	COMMITTEE REPORT--BILL CONCURRED		
3/24	2ND READING CONCURRED	49	0
3/26	3RD READING CONCURRED	50	0
	RETURNED TO HOUSE		
3/31	SIGNED BY SPEAKER		
4/01	SIGNED BY PRESIDENT		
4/01	TRANSMITTED TO GOVERNOR		
4/06	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 346 EFFECTIVE DATE: 10/01/87		

HB 430 INTRODUCED BY BRANDEWIE, ET AL.
CLARIFY DELIBERATE HOMICIDE SENTENCES

1/24	INTRODUCED		
1/24	REFERRED TO JUDICIARY		
2/18	HEARING		
2/18	COMMITTEE REPORT--BILL PASSED		
2/20	2ND READING PASSED	87	2
2/21	3RD READING PASSED	91	0
	TRANSMITTED TO SENATE		
2/23	REFERRED TO JUDICIARY		
3/17	HEARING		
3/18	COMMITTEE REPORT--BILL CONCURRED		
3/21	2ND READING CONCURRED	41	0
3/24	3RD READING CONCURRED	49	0
	RETURNED TO HOUSE		
3/26	SIGNED BY SPEAKER		
3/27	SIGNED BY PRESIDENT		
3/27	TRANSMITTED TO GOVERNOR		
4/01	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 322 EFFECTIVE DATE: 10/01/87		

HB 431 INTRODUCED BY PHILLIPS, ET AL.
ALLOW HUNTING OF LYNX WITH DOGS

1/24	INTRODUCED		
1/24	REFERRED TO FISH & GAME		
2/12	HEARING		
2/13	COMMITTEE REPORT--BILL PASSED		
2/16	2ND READING NOT PASSED	51	46
2/17	RECONSIDERED ACTION ON 2ND READING	54	43
2/18	2ND READING PASSED	57	37
2/19	3RD READING PASSED	57	38
	TRANSMITTED TO SENATE		
2/21	REFERRED TO FISH & GAME		
3/19	HEARING		
3/20	COMMITTEE REPORT--BILL CONCURRED		

3/27	2ND READING CONCUR MOTION FAILED	17	32
3/27	2ND READING INDEFINITELY POSTPONED	33	17
3/28	RETURNED TO HOUSE NOT CONCURRED		

HB 432 INTRODUCED BY HARPER, ET AL.
IMPOUNDED PET ACT

1/24	INTRODUCED		
1/24	REFERRED TO BUSINESS & LABOR		
2/05	HEARING		
2/06	COMMITTEE REPORT--BILL NOT PASSED AS AMENDED		
2/07	ADVERSE COMMITTEE REPORT ADOPTED	71	24

HB 433 INTRODUCED BY SANDS
GENERALLY REVISE INSURANCE LAWS
BY REQUEST OF STATE AUDITOR

1/24	INTRODUCED		
1/24	REFERRED TO BUSINESS & LABOR		
2/04	HEARING		
2/04	COMMITTEE REPORT--BILL PASSED AS AMENDED		
2/06	2ND READING PASSED	82	16
2/07	3RD READING PASSED	92	7
	TRANSMITTED TO SENATE		
2/10	REFERRED TO BUSINESS & INDUSTRY		
3/03	HEARING		
3/04	COMMITTEE REPORT--BILL CONCURRED		
3/09	2ND READING CONCURRED	50	0
3/11	3RD READING CONCURRED	49	0
	RETURNED TO HOUSE		
3/14	SIGNED BY SPEAKER		
3/14	SIGNED BY PRESIDENT		
3/16	TRANSMITTED TO GOVERNOR		
3/19	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 139 EFFECTIVE DATE: 10/01/87		

HB 434 INTRODUCED BY DONALDSON
SUPPLEMENTAL APPROPRIATIONS TO VARIOUS STATE
AGENCIES FOR CURRENT FISCAL YEAR
BY REQUEST OF OFFICE OF BUDGET AND PROGRAM PLANNING

1/24	INTRODUCED		
1/24	REFERRED TO APPROPRIATIONS		
1/24	COMMITTEE REPORT--BILL PASSED		
1/28	REREFERRED TO APPROPRIATIONS		
2/04	HEARING		
2/19	HEARING		
2/20	HEARING		
2/20	COMMITTEE REPORT--BILL PASSED AS AMENDED		
2/23	2ND READING PASSED	69	29
2/24	3RD READING PASSED	73	23
	TRANSMITTED TO SENATE		
3/02	REFERRED TO FINANCE & CLAIMS		
3/06	HEARING		
3/26	HEARING		
4/01	COMMITTEE REPORT--BILL CONCURRED AS AMENDED		
4/03	2ND READING CONCURRED AS AMENDED	33	17
4/04	3RD READING CONCURRED	35	15
	RETURNED TO HOUSE WITH AMENDMENTS		

JUDICIARY COMMITTEE

50TH LEGISLATIVE SESSION

1987

Committee Members	District
Rep. Earl Lory, Chairman	59
Rep. John Mercer, Vice Chairman	50
Rep. Kelly Addy	94
Rep. Dave Brown	72
Rep. Tom Bulger	37
Rep. John Cobb	42
Rep. Fritz Daily	69
Rep. Paula Darko.	2
Rep. Ralph Eudaily	60
Rep. Leo Giacometto	24
Rep. Bud Gould	61
Rep. Ed Grady	47
Rep. Tom Hannah	86
Rep. Vernon Keller	83
Rep. Al Meyers	53
Rep. Joan Miles	45
Rep. Paul Rapp-Svrcek	51
Rep. Bill Strizich	41

Secretary

Renee Podell

Staff

John McMaster

Form CS-32
Rev. 1985

STATUS SHEET

~~50th~~ LEGISLATIVE SESSION

JUDICIARY COMMITTEE

HOUSE BILL NUMBER	ENTERED COM. DATE	DATE CON-SIDERED	OUT OF COM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMENDED DATE	DO NOT PASS AS AMENDED DATE	BE CON-CURRED IN DATE	BE NOT CON-CURRED IN DATE	BE CON-CURRED IN AMENDED DATE	BE NOT CONCURRE IN AS AMENDED DATE
419		2/5/87	failed to meet deadline								
430		2/18/87	2/18/87	2/18/87							
435		2/2/87	2/6/87			2/6/87					
442	1/2/87	2/4/87	2/12/87			2/12/87					
448		2/13/87	2/18/87	tabled							
460		2/13/87	2/21/87			2/21/87					
468		2/12/87	2/14/87	tabled							
470		2/17/87	2/18/87			2/18/87					
472		1/30/87				2/17/87					
474		2/12/87	2/20/87			2/20/87					
475		2/18/87	2/21/87	tabled							
478		2/9/87	2/21/87			2/21/87					
482		2/13/87	2/20/87			2/20/87					
491		2/13/87	2/20/87	2/20/87							

Use a separate sheet for Senate Bills, House Bills, and Resolutions.

MINUTES OF THE MEETING
JUDICIARY COMMITTEE
50TH LEGISLATIVE SESSION
HOUSE OF REPRESENTATIVES

February 18, 1987

The meeting of the Judiciary Committee was called to order by Chairman Earl Lory on February 18, 1987, at 7:00 a.m. in Room 312 D of the State Capitol.

ROLL CALL: All members were present with the exception of Rep. Eudaily who was excused.

EXECUTIVE SESSION:

ACTION ON HOUSE BILL NO. 393:

Rep. Gould moved that HB 393 DO PASS. Rep. Gould moved amendments. Question was called and a voice vote was taken. The motion CARRIED 13-1, with Rep. Hannah dissenting. Rep. Mercer stated that the 180 days should be stricken because the Supreme Court says that Human Rights Commission will have 12 months. Rep. Gould moved the insertion of 12 months. Question was called and a voice vote was taken. The motion CARRIED 12-2 with Reps. Giacometto and Hannah dissenting. (See Amendments Attached). Rep. Gould moved that HB 393 DO PASS as amended. Question was called and a voice vote was taken. The motion CARRIED 13-1 with Rep. Hannah dissenting. HB 393 DO PASS AS AMENDED.

ACTION ON HOUSE BILL NO. 448:

Rep. Darko moved that HB 448 be tabled. Question was called and a voice vote was taken. The motion CARRIED unanimously. HB 448 TABLED.

ACTION ON HOUSE BILL NO. 470:

Rep. Miles moved that HB 470 DO PASS. Rep. Miles stated that there is a drafting error on page 26 of the bill and moved to amend it by inserting "except traffic records". Question was called and a voice vote was taken. The motion CARRIED unanimously. Rep. Rapp-Svrcek moved to amend by returning to the original language of the bill on line 10. Question was called and a voice vote was taken. The motion CARRIED 8-7. (See Amendments Attached). Rep. Addy moved to amend the bill by returning to the original language on lines 3-6, page 13. Question was called and a voice vote was taken. The motion CARRIED 12-4. Rep. Miles moved that HB 470 DO PASS AS AMENDED. Question was called and a voice

KURT KRUEGER, Montana Petroleum Marketing Association, stated that they agree with the concept of the bill. But they feel the bill is really not needed. He pointed out that there has not been even one law suit brought by a dealer against a refiner or distributor on the concept of bad faith or unfair dealings. He stated that this bill will stop dealer-lease stations in the state of Montana because there are not any safeguards and it is changing the law of the state. All franchises in general should be looked into if this bill is to be considered. He urged that HB 475 be defeated.

There were no further opponents and no questions.

Rep. Stang closed the hearing on HB 475 by stating that there is a law suit pending right now in the state of Montana. He pointed out that this is a good small business bill and it is a chance to help some of the small businessmen in the state. This bill was sent to the Judiciary Committee because the Business and Labor Committee realized that this is a legal problem.

HOUSE BILL NO. 430, Rep. Brandewie, District No. 49, sponsor, explained that this act clarifies penalties that may be imposed for deliberate homicide. The purpose of the bill is to switch the language around because the language is misplaced. He pointed out that the words "life imprisonment" should be changed from line 22 and placed on line 23 so that life imprisonment can be in a sentencing of a criminal.

There were no proponents and no opponents.

QUESTIONS (or Discussion) ON HOUSE BILL NO. 430:

Rep. Rapp-Svrcek stated that he does not understand how moving the language from one line to another can take care of this problem. He asked Rep. Mercer to comment on this. He pointed out that the death penalty provisions are found in 18-301-18-310. If a person is sentenced to death, then that section is used and depending on mitigating circumstances it is decided if the death penalty or life imprisonment will be used, he said. He pointed out that this is a good change in the law. Rep. Rapp-Svrcek stated that his understanding of this issue is, that presently the death penalty must be considered in order to impose life imprisonment and Rep. Mercer stated that that is correct.

Rep. Gould stated that under all circumstances except the death penalty, it is his understanding that a criminal can come under a parole review in 17 1/2 years and he asked Rep. Brandewie how this bill will fix that.

Rep. Brandewie stated that it probably will not fix it but a life term cannot be considered at the present time. The reason they cannot consider it is unless they can consider the death penalty as Rep. Mercer explained.

Rep. Mercer stated that there is one other issue that should be discussed and he explained that with the present law, deliberate homicide does not get the death penalty and it does not get life imprisonment. With the law changed in this bill a straight homicide could bring life imprisonment.

Rep. Rapp-Svrcek asked Rep. Mercer if a judge is presently allowed to sentence someone to a term of years without possibility of parole. Rep. Mercer stated that he was not sure and he asked Mr. MacMaster to comment on that. Mr. MacMaster pointed out that a judge cannot do that but he can designate a person a dangerous offender and he will have to serve a longer part of his sentence before he can be allowed parole. He must serve 50% of his sentence instead of 25%, he said.

Rep. Brandewie closed the hearing on HB 430 by stating that the judges in Flathead County feel this is an important bill.

Chairman Lory open Executive Session.

EXECUTIVE SESSION

ACTION ON HOUSE BILL NO. 430:

Rep. Giacometto moved that HB 430 do pass. Question was called and a voice vote was taken. The motion CARRIED unanimously. HB 430 DO PASS.

Chairman Lory closed Executive Session.

HOUSE BILL NO. 696, Rep. Hannah, District No. 86, stated that this is a reasonable proposal providing for appeal of and trial anew on all final rulings and decisions of the Commission for Human Rights. This bill calls for a de novo review. This bill allows for a direct appeal to District Court and it allows for the appeal to be made within a 30 day time frame. It does not put special weight, therefore, on presumption of the findings of the Human Rights Commission and it will reduce the power of the Commission in its final rule. He further pointed out that this will allow for freedom on the part of the people in the state of Montana to take the case forward into court.

PROPONENTS:

DAILY ROLL CALL

JUDICIARY COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date Feb. 18, 1987

NAME	PRESENT	ABSENT	EXCUSED
JOHN MERCER (R)	✓		
LEO GIACOMETTO (R)	✓		
BUDD GOULD (R)	✓		
AL MEYERS (R)	✓		
JOHN COBB (R)	✓		
ED GRADY (R)	✓		
PAUL RAPP-SVRCEK (D)	✓		
VERNON KELLER (R)	✓		
RALPH EUDAILY (R)			✓
TOM BULGER (D)	✓		
JOAN MILES (D)	✓		
FRITZ DAILY (D)	✓		
TOM HANNAH (R)	✓		
BILL STRIZICH (D)	✓		
PAULA DARKO (D)	✓		
KELLY ADDY (D)	✓		
DAVE BROWN (D)	✓		
EARL LORY (R)	✓		

STANDING COMMITTEE REPORT

FEBRUARY 18, 19 87

Mr. Speaker: We, the committee on JUDICIARY

report HOUSE BILL NO. 439

☒ do pass
☐ do not pass

☐ be concurred in
☐ be not concurred in

☐ as amended
☐ statement of intent attached

Chairman

FIRST reading copy (WHITE color)

MONTANA STATE SENATE

JUDICIARY COMMITTEE

50TH LEGISLATURE

COMMITTEE MEMBERS: Senator Joe Mazurek, Chairman
Senator Bruce Crippen, V. Chairman
Senator Tom Beck
Senator Al Bishop
Senator Chet Blaylock
Senator Bob Brown
Senator Jack Galt
Senator Mike Halligan
Senator Dick Pinsoneault
Senator Bill Yellowtail

STAFF ATTORNEY: Valencia Lane

COMMITTEE SECRETARY: Mary Huber

BOOK: 1 of 4

INCLUSIVE DATES: January 6 - January 30, 1987

CHAIRMAN--SEN. JOE MAZUREK
NORMAL SCHEDULE==> SITE: ROOM 325 DAYS: MON THRU FRI TIME: 10:00 A.M.

SECRETARY-MARY HUBER

--BILL NO---	REFER DATE---	HEARING DATE---	CONSIDERATION DATES----------	COMMITTEE ACTION----------	REREFERRED TO COMM----	DATE OUT-
HB0393	3/02	3/20		CONCUR AS AMENDED		3/21
LORY, EARL			REVISE PROCEDURE FOR REMOVING HUMAN RIGHTS CASE TO DISTRICT COURT			
HB0396	2/16	3/09		CONCUR		3/11
PAVLOVICH, BOB			SUSPEND DRIVER'S LICENSE FOR UNLAWFUL OR FRAUDULENT USE OF LICENSE			
HB0400	3/02	3/20		CONCUR AS AMENDED		3/27
MANUEL, REX			REQUIRE LEGISLATIVE APPROVAL OF HRC RULES GOVERNING HOUSING DISCRIMINATION			
HB0413	2/11	3/06		CONCUR		3/6
BRANDEWIE, RAY			REMOVE AMOUNT OF MARIJUANA REQUIRED FOR INTENT TO SELL			
HB0430	2/23	3/17		CONCUR		3/17
BRANDEWIE, RAY			CLARIFY DELIBERATE HOMICIDE SENTENCES			
HB0435	2/12	3/06		ADVERSE REPORT		3/13
BRANDEWIE, RAY			REVISE FORFEITURE IN CRIMINAL PROCEEDINGS			
HB0442	2/19	3/12		CONCUR AS AMENDED		3/24
MERCER, JOHN			LIMIT PUNITIVE DAMAGES			
HB0470	2/23	3/18		CONCUR AS AMENDED		3/21
MILES, JOAN			GENERALLY REVISE PROCEDURE OF YOUTH COURT AND LAW REGARDING YOUTH OFFENDER			
HB0474	3/02	3/25		CONCUR AS AMENDED	NO ACT 3/27	4/16
MOORE, JANET			CORPORATE DIRECTORS, OFFICERS PERSONALLY LIABLE FOR EMPLOYEES' UNPAID WAGES			
HB0478	3/02	3/24			NO ACT 3/27	—
THOMAS, FRED			LIMITED IMMUNITY FOR WEED DISTRICTS			
HB0482	3/02	3/26		CONCUR		3/26
SCHYE, TED			ALLOW JUSTICE COURT TO BE DESIGNATED AS A CITY COURT			

MONTANA STATE SENATE
JUDICIARY COMMITTEE
MINUTES OF THE MEETING

March 17, 1987

The forty-fourth meeting of the Senate Judiciary Committee was called to order at 10:00 a.m. on March 17, 1987, by the Chairman, Joe Mazurek, in Room 325 of the state Capitol.

ROLL CALL: All committee members were present. Senator Halligan was excused, and appeared later in the meeting.

CONSIDERATION OF HOUSE BILL 141: Representative Francis Bardanouve, House District 16, introduced HB 141, which amends the statutes relating to district court filing fees and establishes a new fee of $100 for filing a motion for substitution of a judge. He explained when a judge is disqualified in a case it causes a lot of travel time for another judge to come and fill in. He felt this bill will help the expense of traveling in Montana for judges.

PROPONENTS: Henry Loble, District Judge, testified in support of the bill. (Exhibit 1)

Tom Honzel, District Judge, supported the bill. He explained the history of the proposed amended statute, which had to do with Marcus Daily, the Copper King, not liking the district judges in Silver Bow County because they were on the payroll of his rival.

Karl Englund, Montana Trial Lawyers Assn., pointed out the combination of this bill and Rep. Pistoria's bill will cost a person $275 instead of $25 for filing a petition for a court trial.

OPPONENTS: There were none.

DISCUSSION ON HOUSE BILL 141: There was none.

Representative Bardanouve closed the hearing on HB 141.

Jess Seaman, Great Falls, SADD, supported the bill and said the SADD program will hopefully grow because the funding helps the program develop new ideas for prevention.

Joyce Fisher, Gallatin County DUI Task Force said Gallatin County, with 10,000 college students, did not have one alcohol related death last year. She said the program needs to stay alive just because of that reason.

Gallatin County Commissioners gave testimony to the committee. (Exhibit 9)

DISCUSSION ON HOUSE BILL 277: Senator Pinsoneault asked how the $50 fee was arrived at. Rep. Connelly said it was based on arrests and suspensions. Senator Pinsoneault inquired if the bill will fund the court school. Rep. Connelly said no, it doesn't fund that. She said 40% of the fund goes to DUI training for officers.

Senator Mazurek questioned if the amendments put it back in its original place. Rep. Connelly said yes, and the vote on putting these amendments back in was a party-line vote.

Senator Beck asked why the countys can't handle the fund because each county gets the amount of money put in by people living in that county. Rep. Connelly said the reason the state handles the fund is the $50 fee is given when the license is reinstated, which is run by the Dept. of Justice. Senator Beck asked if each county could afford to run this program with the money each county is given. Rep. Connelly said it is a voluntary program. Senator Beck asked if a county gets $50 because it only had one DUI, and doesn't have a task force, can the county spend that $50 someplace else. Rep. Connelly said it has to be spent on education or enforcement for DUI's.

Representative Connelly closed by saying the bill should be left on the county level.

CONSIDERATION OF HOUSE BILL 430: Representative Ray Brandewie, House District 49, introduced HB 430, which clarifies the penalties that may be imposed for deliberate homicide. He said the bill will change statute on life imprisonment and make the statute more clear.

PROPONENTS and OPPONENTS: There were no proponents or opponents.

DISCUSSION ON HOUSE BILL 430: Senator Blaylock asked Rep. Brandewie to explain the bill further. Rep. Brandewie said there is a test in the law books for the death penalty, which decides whether a person should have a death peaalty or life in prison. He said this bill clears up section 46-18-301 through 46-18-310.

Senator Beck asked why 200 years in jail isn't as good as life in prison. Rep. Brandewie said the life in prison statute needs more definite clarification so one can distinguish which sentencing is worse, 200 years, or life.

Rep. Brandewie closed the hearing on HB 430.

CONSIDERATION OF HOUSE BILL 805: Representative Randy Roth, Billings, Montana, introduced HB 805. (Exhibit 10)

PROPONENTS or OPPONENTS: There were neither.

DISCUSSION ON HOUSE BILL 805: Senator Halligan questioned how a registration can be taken when it is owned by several people. Larry Majerus, Dept. of Justice, said it doesn't matter, the person who was co-owner of the vehicle, who didn't do anything, would have to get complete ownership before he could get the registration back.

Senator Crippen asked if a co-ownership is a partnership, what happens. Mr. Majerus said there has to be an identifiable interest in the vehicle for a second person to be able to receive the suspended registration.

Representative Roth closed the hearing on HB 805.

EXECUTIVE ACTION

ACTION ON HOUSE BILL 430: Senator Blaylock moved House Bill 430 BE CONCURRED IN. The motion CARRIED.

ACTION ON HOUSE BILL 504: House Bill 504 was presented by Representative Mike Kadas, House District 55, for Executive Action. The bill deals with the process of getting an initiative on the ballot fairly. He said if the law would allow a "window" for challenge for 20 or 30 days it would address the problem of getting the court out of the way so the election can go undisturbed. He said the way one should deal with an initiative is not in the courtroom, but on the ballot.

ROLL CALL

Judiciary COMMITTEE

50th LEGISLATIVE SESSION -- 1987 Date March 17

NAME	PRESENT	ABSENT	EXCUSED
Senator Joe Mazurek, Chairman	X		
Senator Bruce Crippen, Vice Chairman	X		
Senator Tom Beck	X		
Senator Al Bishop	X		
Senator Chet Blaylock	X		
Senator Bob Brown	X		
Senator Jack Galt	X		
Senator Mike Halligan	X		
Senator Dick Pinsoneault	X		
Senator Bill Yellowtail	X		

Each day attach to minutes.

STANDING COMMITTEE REPORT

March 17 19 87

MR. PRESIDENT

We, your committee on SENATE JUDICIARY

having had under consideration HOUSE BILL No. 430

Third reading copy (blue.)
color

Clarify deliberate homicide sentences.
Brandewie (Brown)

Respectfully report as follows: That HOUSE BILL No. 430

~~XXXXX~~
~~DO PASS~~

~~XXXXXXXXX~~S BE CONCURRED IN

Mxxx Senator Mazurek, Chairman.